

**Notice of Allowability****Application No.**

10/535,223

**Applicant(s)**

FUKUI ET AL.

**Examiner**

CHERIE M. WOODWARD

**Art Unit**

1647

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's response to the Non-Final Office Action.
2. ☒ The allowed claim(s) is/are 1-4 and 8-10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of the:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 01292008.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Cherie M. Woodward/  
Primary Examiner, Art Unit 1647

## **EXAMINER'S AMENDMENT and COMMENTS**

1. Applicant's Arguments and Amendments filed 11/12/2008 are acknowledged and entered. Claims 5-7, 11-12, and 36 are cancelled by Applicant. Claims 1-4, 8-10, 13-35, and 37-39 are pending. Claims 13-35 and 37-39 are withdrawn from consideration as being drawn to non-elected inventions.
2. An Examiner's amendment to the claims and title appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this Examiner's Amendment was given in a telephone interview with Applicant's representative Ann Summerfield on 2 February 2009. Authorization was given to amend the claims and the title by Examiner's Amendment and pass the case to issue.
4. Applicant's response to the Requirement for Restriction/Election, filed on 5/13/2008, was made without traverse. The examiner cancels withdrawn claims 13-35 and 37-39 by Examiner's Amendment in order to pass the case to issue.

### **In the claims:**

- In claim 1, line 4, the word "a" is inserted between the words "detecting" and "GTP-binding".
- In claim 2, line 2, the word "an" is inserted between the words "contacting" and "SH3 domain".
- In claim 2, line 4, the word "the" is inserted between the words "of" and "SH3".
- In claim 2, line 4, the word "a" is inserted between the words "detecting" and "GTP-binding".
- In claim 3, line 2, the word "the" is inserted between the words "and" and "C terminus".
- In claim 3, line 3, the word "the" is inserted between the words "DOCK2," and "C terminus".
- In claim 3, line 4, the word "the" is inserted between the words "and" and

Art Unit: 1647

"C terminus".

In claim 3, line 5, the word "a" is inserted between the words "detecting" and "GTP-binding".

In claim 4, line 2, the word "an" is inserted between the words "contacting" and "SH3 domain".

In claim 4, line 3, the word "the" is inserted between the words "DOCK2," and "C terminus".

In claim 4, line 4, the word "the" is inserted between the words "of" and "SH3 domain".

In claim 4, line 4, the word "the" is inserted between the words "and" and "C terminus".

In claim 4, line 5, the word "a" is inserted between the words "detecting" and "GTP-binding".

In claim 10, line 2, delete the phrase "any one of".

Cancel claims 13-35 and 37-39.

**In the title:**

The title of the Application is changed to: Method of screening a substance interfering in the association of DOCK2 and ELMO.

5. An Examiner-initiated Interview Summary detailing communications between the examiner and Applicant's representative Ann Summerfield is attached hereto.
6. All pending claim rejections/objections are withdrawn in light of Applicant's amendments and the Examiner's Amendment set forth above.
7. Claims 1-4 and 8-10 are allowed with the aforementioned Examiner's Amendments.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHERIE M. WOODWARD whose telephone number is (571)272-3329. The examiner can normally be reached on Monday - Friday 9:30am-6:00pm (EST).

Art Unit: 1647

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Manjunath N. Rao can be reached on (571) 272-0939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cherie M. Woodward/  
Primary Examiner, Art Unit 1647